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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,488	10/02/2003	Thomas R. Burke	TBURK01A	2487

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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/605,488	BURKE, THOMAS R.
	Examiner	Art Unit	
	Srirama Channavajjala	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _02 October 2003_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-36_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-36_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _02 October 2003_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____.
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _5/3/04;8/27/04_.	5) ☐ Notice of Informal Patent Application (PTO-152)
	6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-36 are presented for examination.

Drawings

2.   The Drawings filed on 10/2/2003 are <u>acceptable</u> for examination purpose,

however, the drawings are objected to under 37 CFR 1.83(a). The drawings must show

every feature of the invention specified in the claims, for example claim 1 directed to

"A system for returning contact information of one type in response a query having

different contact information of the same type, for the entity, comprising: a data

storage………   a third means for responding to queries....entity as said query.

Therefore, each specific function must be shown or the feature(s) canceled from the

claim(s), or at least a flow-diagram showing every feature of the invention specified in

the claims, although drawing fig 15,15A-16 shows a flow chart, but do not recite

elements from at least claim 1 or 13 or 23 or 25 or 27, furthermore, fig 15 is merely a

flow chart do not identify necessary textual labels with symbols..

    37 CFR 1.84(n)(o) is recited below:

    (n)   Symbols . Graphical drawing symbols may be used for conventional

elements when appropriate. The elements for which such symbols and labeled

representations are used must be adequately identified in the specification. Known

devices should be illustrated by symbols which have a universally recognized

conventional meaning and are generally accepted in the art. Other symbols which are

not universally recognized may be used, subject to approval by the Office, if they are

not likely to be confused with existing conventional symbols, and if they are readily

identifiable.

(o)   Legends . Suitable descriptive legends may be used subject to approval by

the Office, or may be required by the examiner where necessary for understanding of

the drawing. They should contain as few words as possible.

A proposed drawing correction or corrected drawings are required in reply to the

Office action to avoid abandonment of the application. The objection to the drawings

will not be held in abeyance.

No new matter should be entered.

Priority

3.   Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged

based on the provisional application *60/415,099* filed on 10/2/2002

Information Disclosure Statement

4.   The information disclosure statement filed on 5/3/2004, 8/27/2004 is in

compliance with the provisions of 37 CFR 1.97, and has been considered and a copy is

enclosed with this Office Action.

5.   **Claims 1-36 are rejected under 35 U.S.C. 101 because invention is directed to non-statutory subject matter.**

   As set forth in MPEP 2106(II)A:

   Identify and understand Any Practical Application Asserted for the Invention

   The claimed invention as a whole must accomplish a practical application. That is, it must produce a "useful, concrete and tangible result." State Street, 149 F.3d at 1373, 47USPQ2d at 1601-02. The purpose of this requirement is to limit patent protection to inventions that possess a certain level of "real world" value, as opposed to subject matter that represents nothing more than an idea or concept, or is simply a starting point for future investigation or research (Brenner v. Manson, 383 U.S. 519, 528-36, 148 USPQ 689, 693-96); In re Ziegler, 992, F.2d 1197, 1200-03, 26 USPQ2d 1600, 1603-06 (Fed. Cir. 1993)). Accordingly, a complete disclosure should contain some indication of the <u>practical application</u> *for the claimed invention, i.e., why the applicant believes the claimed invention is useful.*

   Apart from the utility requirement of 35 U.S.C. 101, usefulness under the patent eligibility standard requires significant functionality to be present to satisfy the useful result aspect of the practical application requirement. See Arrhythmia, 958 F.2d at 1057, 22 USPQ2d at 1036. Merely claiming nonfunctional descriptive material stored in a computer-readable medium does not make the invention eligible for patenting. For example, a claim directed to a word processing file <u>stored on a disk</u> *may satisfy the utility requirement of 35 U.S.C. 101 since the information stored may have some "*<u>real world</u>*" value. However, the mere fact that the claim may satisfy the utility requirement of*

35 U.S.C. 101 does not mean that a useful result is achieved under the practical

application requirement. The claimed invention as a whole must produce a "useful,

concrete and tangible" result to have a practical application.

6.   Regarding claim 1, "A system for returning contact information of one type in

response a query having different contact information of the same type, for the entity,

comprising: a data storage means for storing data;

a database of contact information for a plurality of entities, which resides in said

data storage means; a first means for receiving one or more queries, each comprising

at least one element of contact information for each entity;

a second means for accessing and searching said database that (d 1) compares

the contact information in said query to the contents of said database, (d2) identifies

contact information in said database related to said entity in said query, and (d3)

identifies alternate contact information of the same type as said query which is related

to the entity; and

a third means for responding to queries that returns, in response to said query,

different contact information of the same type as query, said different contact

information corresponding to the same entity as said query, " is directed to "abstract

idea" because all of the elements in the claim 1 would reasonably be interpreted by one

of ordinary skill in light of the disclosure as software, such that the method is software,

per se , is "non-statutory subject matter" and *claim 1* do not have "practical application"

because the "final result" by the claimed invention in the claim 1 elements particularly

"a third means for responding to queries that returns, in response to said query, different contact information of the same type as query, said different contact information corresponding to the same entity as said query" is not producing "useful, tangible and concrete" and therefore, claim 1 is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention must produce a *"useful, concrete and tangible result."* The **Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility** states in section IV C. 2 b. (2) (on page 21 in the PDF format):

> The tangible requirement does not necessarily mean that a claim must either be tied to a particular machine or apparatus or must operate to change articles or materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

Claim 1 have the result of producing "real-world" results related to "in response to query, different contact information of the <u>same type</u> as query, said different contact information corresponding to the same entity as said query" however the claim[s] do not specify that the result neither output nor displayed to a user or otherwise used in the real world, but does not output useful, concrete and tangible result. The examiner reviewed the specification but was unable to find a practical real-world use of the result (a third means for responding to queries that returns, in response to said query, different

contact information of the same type as query, said different contact information

corresponding to the same entity as said query). If the applicant is able to find one and

inserts it into the claims provide the location the element is found in the specification

The claims 2-12,14-21,24,26 dependent from claim 1 is also rejected in the

above analysis.

7.   Regarding claim 13,23 "A method for returning contact information of one type in

response a query having different contact information of the same type, for the same

entity, comprising the steps of:

a) accessing a database of contact information of a plurality of types corresponding to

a plurality of entities;

b) comparing said first type of contact information in said query with the contents of

said database;

c) if said first type of contact information in said query is included in said database,

identifying contact information of a second type in said database, which is related to

said first type of contact information in said query;

c2) identifying, in said database, one or more alternative contact information elements

of the first type related to the entity in said query by using said second type of related

contact information to search said database;

c3) generating a response to said query which includes the identified alternate contact

information of the first type related to said entity in said query; and

d) generating a response indicating that alternate contact information of the first type

for said entity is not included in said database, if this is the case", is directed to

"abstract idea" because all of the elements in the claim 13 would reasonably be

interpreted by one of ordinary skill in light of the disclosure as software, such that the

method is software, per se , is "non-statutory subject matter" and *claim 13,23,* do not

have "practical application" because the "final result" by the claimed invention in the

claim 13,23 elements particularly *"generating a response to said query which includes*

the identified alternate contact information of the first type related to said entity in said

query; and d) generating a response indicating that alternate contact information of the

first type for said entity is not included in said database" is not producing "useful,

tangible and concrete" and therefore, claim 13,23 is a non-statutory subject matter.

The claimed invention is subject to the test of State Street, 149 F.3d at 1373-74,

47 USPQ2d at 1601-02. Specifically State Street sets forth that the claimed invention

must produce a *"useful, concrete and tangible result."* The **Interim Guidelines for**

Examination of Patent Applications for Patent Subject Matter Eligibility states in

section IV C. 2 b. (2) (on page 21 in the PDF format):

> The tangible requirement does not necessarily mean that a claim must either be
> tied to a particular machine or apparatus or must operate to change articles or
> materials to a different state or thing. However, the tangible requirement does
> require that the claim must recite more than a § 101 judicial exception, in that the
> process claim must set forth a practical application of that § 101 judicial
> exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ
> at 676-77 (invention ineligible because had "no substantial practical
> application.").

Claim 13,23, have the result of producing "real-world" results related to

"generating a response to said query which includes the identified alternate contact

information of the first type related to said entity in said query; and d) generating a

response indicating that alternate contact information of the first type for said entity is

not included in said database" however the claim[s] do not specify that the result

neither stored, output nor displayed to a user, but merely generating response to the

query related to first type or otherwise used in the real world, but does not output

useful, concrete and tangible result. The examiner reviewed the specification but was

unable to find a practical real-world use of the result (generating a response to said

query which includes the identified alternate contact information of the first type related

to said entity in said query; and d) generating a response indicating that alternate

contact information of the first type for said entity is not included in said database).

If the applicant is able to find one and inserts it into the claims provide the location

the element is found in the specification

The claims 22,28-29,31-36 dependent from claim 13 and 23 respectively is also

rejected in the above analysis.

8.   Regarding claim 25,27, "A system for populating and maintaining d contact infor-

mation database comprising:

    a) a database containing a plurality of contact information for a plurality of entities,

        said contact information being associated with the appropriate entity and said

        contact information comprising an Email address and at least one from the group

consisting of: an Email address, a name, a postal address, a governmentally

issued identifying number, a birth date, and a telephone number;

b) a receiver for receiving one or more datasets, each dataset having a plurality of

contact information, said contact information comprising at least two from the

group consisting of: an Email address, a name, a postal address, a

governmentally issued identifying number, a birth date, and a telephone number;

c) an identifier for identifying selected data from the dataset to be merged into said

database; and

a data merger module for merging selected data into said database" is directed to

"abstract idea" because all of the elements in the claim 25,27 would reasonably be

interpreted by one of ordinary skill in light of the disclosure as software, such that the

method is software, per se , is "non-statutory subject matter" and *claim 25,27,* do not

have "practical application" because the "final result" by the claimed invention for

example in the claim 25 elements particularly "steps b-c" is not producing "useful,

tangible and concrete" but merely" dataset merged into database" and therefore,

claim 25,27 is a non-statutory subject matter. The claimed invention is subject to the

test of State Street, 149 F.3d at 1373-74, 47 USPQ2d at 1601-02. Specifically State

Street sets forth that the claimed invention must produce a *"useful, concrete and*

tangible result." The **Interim Guidelines for Examination of Patent Applications**

for Patent Subject Matter Eligibility states in section IV C. 2 b. (2) (on page 21 in the

PDF format):

> The tangible requirement does not necessarily mean that a claim must either be
> tied to a particular machine or apparatus or must operate to change articles or

materials to a different state or thing. However, the tangible requirement does require that the claim must recite more than a § 101 judicial exception, in that the process claim must set forth a practical application of that § 101 judicial exception to produce a real-world result. Benson, 409 U.S. at 71-72, 175 USPQ at 676-77 (invention ineligible because had "no substantial practical application.").

Claim 25,27, have the result of producing "real-world" results related to "steps b-c", however the claim[s] do not specify that the result neither stored, output nor displayed to a user, but merely dataset merged into database or otherwise used in the real world, but does not output useful, concrete and tangible result. The examiner reviewed the specification but was unable to find a practical real-world use of the result of step b-c   If the applicant is able to find one and inserts it into the claims provide the location the element is found in the specification

The claim 30 dependent from claim 25 is also rejected in the above analysis.

Claim Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10.   Claims 1-24,26,28-29,31-36 are rejected under 35 U.S.C. 102(e) as being

anticipated by Hertzog et al. [hereafter Hertzog], US Patent No. 2003/0069874,

filed on May 5,2000 and published on April 10,2003.

11.   Hertzog teaches a system which including 'a system for returning contact

information of one type in response a query having different contact information of the

same type, for the entity, comprising: a data storage means for storing data [fig 1,

element 30,34, page 3, col 2, 0047, 0050, line 1-2], contact information corresponds to

information maintained in the databases element 30,34 is related to database

management system that executes queries as detailed in page 3, col 2, 0047,0050;

        a database of contact information for a plurality of entities [page 6,col 1, 0071,

line 2-4, fig 4], which resides in said data storage means; a first means for receiving one

or more queries, each comprising at least one element of contact information for each

entity [page 6, col 1, 0071], Hertzog specifically teaches database having number of

data sets and fields for example element 74 related to personal information attributes or

contact information entities;

a second means for accessing and searching said database that (d 1) compares the contact information in said query to the contents of said database [page 5, col 1, 0056], Hertzog specifically teaches matching contact information stored within the local database is part of contact matching functionality; , (d2) identifies contact information in said database related to said entity in said query [fig 8, page 10, col 2, 0113, line 1-4], and (d3) identifies alternate contact information of the same type as said query which is related to the entity; [page 10, col 2, 0113]

a third means for responding to queries that returns, in response to said query, different contact information of the same type as query, said different contact information corresponding to the same entity as said query [page 10, col 2, 0114]..

12.   As to claim 2, Hertzog disclosed 'wherein said second means further comprises:

a means for searching said database for the existence of

a first type of contact information which is contained in said query' [page 10, col 2, 0113, line 3-4];

a means for identifying contact information of a second type which is related to the same entity as said query [page 10, col 2, 0115],

a means for searching through said database, using said second type of contact information; [page 10, col 2, 0116]

a means for identifying, in the database, alternate contact information of the first type in said query which is related to said second type of contact information, for the same entity [page 11, col 1, 0116, fig 9A]..

13.   As to claim 3, Hertzog disclosed 'wherein said second means further comprises a

means for repeating said searching and said identifying means, until all related contact

information of the type in said query for said entity is identified in said database' [fig 8,

page 10, col 1, 0109].

14.   As to claim 4, Hertzog disclosed 'wherein said third means further

comprises a means for selecting a single one amongst more than one alternate contact

information elements of the same type as said query if a single result per entity is

required and if more than one alternate contact point is found' [page 12, col 2, 0135]..

15.   As to claim 5, Hertzog disclosed, wherein the contact information

type of said query and the returned data is an Email address. '[page 13, col 1, 0141,

fig 12]

16.   As to claim 6-8, Hertzog disclosed, wherein the contact information type of said

query and the returned data is an Email address [page 13, col 1, 0141].

17.   As to claim 9-12, Hertzog disclosed wherein the system further comprises a

means for obtaining permission from the entity in said query, prior to the response to

said query [page 6, col 2, 0074, line 11-14].

18.   As to claim 13, 23, Hertzog teaches a system which including 'a method for

returning contact information of one type in response a query having different contact

information of the same type, for the same entity, comprising the steps of:

a)   accessing a database of contact information of a plurality of types corresponding

to a plurality of entities [page 5, col 2, 0064];

b)   comparing said first type of contact information in said query with the contents of

said database; [page 5, col 1, 0056], Hertzog specifically teaches matching contact

information stored within the local database is part of contact matching functionality

c)   if said first type of contact information in said query is included in said database,

identifying contact information of a second type in said database, which is related to

said first type of contact information in said query [page 10, col 2, 0113];

c2) identifying, in said database, one or more alternative contact information elements

of the first type related to the entity in said query by using said second type of related

contact information to search said database [page 9, col 2, 0104];

c3) generating a response to said query which includes the identified alternate contact

information of the first type related to said entity in said query' [page 9, col2, 0105];

d) generating a response indicating that alternate contact information of the first type

for said entity is not included in said database, if this is the case [page 10, col 1, 0106].

19.   As to claim 14, Hertzog teaches repeatedly searching the database, using said

second type of contact information and alternate contact information of said first type for

repeatedly searching said database, until all related contact information of said first type

for said entity is identified in said database [page 10, 0107].

20.   As to claim 15, Hertzog disclosed 'obtaining permission from said entity, prior to

said response to said query' [page 6, col 2, 0074, line 11-14].

21.   As to claim 16, Hertzog disclosed obtaining permission from said entity

comprises the additional steps of:

1) generating and transmitting a permission request to said entity [page 7, col 2,

0087, line 5-7];

2) obtaining permission from said entity; [page 7, line 0087]

3) discarding contact information for said entity from said response if said

permission is not obtained.[page 7, col 2, 0088]

22.   As to claim 17, Hertzog disclosed identifying the single alternate contact

information element which is most beneficial to the initiator of the query, prior to

generating a response to said query, if more than one contact information element of

said first type is identified in the database [page 8, col 1, 0089].

23.   As to claim 18, Hertzog disclosed wherein the first type of contact information in

said query and the alternate contact information in said response are Email addresses'

[page 13, col 1, 0141].

24.   As to claim 18-22, Hertzog disclosed wherein the first type of contact information

in said query and the alternate contact information in said response are Email

addresses[page 13, col 1, 0141, fig 23B]. .

25.   As to claim 18, Hertzog disclosed wherein the contact information in said query

and the alternate contact information in said response are Email addresses [page 13,

col 1, 0141].

26.   As to claim 26, Hertzog disclosed wherein the system additionally comprises a

computing device for controlling said database, said receiver, said identifier, and said

data merger module [see fig 1, page 3, col 1, 0045].

27.   As to claim 28, Hertzog disclosed wherein the step c) of identifying selected data

further comprises the steps of:

        cl) comparing each data record of each dataset with the contents of said

database [page 5, col 1, 0056]

        c2) identifying and selecting any data that does not exist in said database to be

merged into said database [page 5, col 1, 0059].

28.   As to claim 29, Hertzog disclosed wherein the step c) of identifying selected data

further comprises the steps of

        c1) comparing each record of each dataset with a previously received version of

the record, if such version exists [page 9, col 2, 0105];

        c2) determining whether any of the data elements pertaining to an entity in the

dataset have changed since the previously received version of the record; [page 9,

col 2, 0105, line 14-22]

        c3) selecting changed data elements for merging into said database [page 10,

col 1, 0105, line 1-6].

29.   As to claim 31, Hertzog disclosed, wherein the step c) of identifying selected data

further comprises the steps of:

        cl) grouping each record of each dataset with other records in the dataset and/or

records in the database by contact information other than an Email address that can be

used to identify a entity [page 6, col 1, 0071];

c2) identifying records that share the same data elements used in cl) but have

different Email addresses [page 6, col 2, 0076].

c3) selecting the multiple email addresses identified for an entity for merging into

said database [page 6, col 1, 0072, page 7, col 2, 0085].

30.   As to claim 32, Hertzog disclosed, whet min the step c) of identifying selected

data further comprises the step of identifying all received data records as candidates for

merging into the database [page 11, col 2, 0125] .

31.   As to claim 33, Hertzog disclosed, wherein the step c) is performed in a

computing device [fig 1, page 3, col 1, 0042].

32.   As to claim 34, Hertzog disclosed, wherein the step c) of identifying selected

ones further includes a step of comparing similar, but inexact, contact data elements to

determine if the data elements are equivalent [page 4, col 2, 0055].

33.   As to claim 35, Hertzog disclosed, wherein the step d) of merging the selected

contact information elements comprises an additional step of inserting each one of

plurality of selected contact information elements and relationships between contact

information elements and entities into said database [page 4, col 2, 0055, page 5, col 2,

0066-0067].

34.   As to claim 36, Hertzog disclosed, further comprising the steps of: e) periodically

receiving a plurality of datasets, each dataset having a plurality of second data records;

and f) repeating step c) through e). [page 6, col 2, 0075].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

35.   Claims 25,27,30 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Hertzog et al. [hereafter Hertzog], US Patent No. 2003/0069874, filed on May

5,2000 and published on April 10,2003 in view of, Smith et al. [hereafter Smith],

US Pub.No. 2002/0083008 filed on Dec 22,2000, published on Jun 27,2002

36.   As to claim 25, 27, Hertzog teaches a system which including a system for

populating and maintaining d contact information database comprising: [fig 1]

a)   a database containing a plurality of contact information for a plurality of entities,

said contact information being associated with the appropriate entity and said contact

information comprising an Email address and at least one from the group consisting of:

an Email address, a name, a postal address, , and a telephone number [fig 1, 5-6,

page 9, col 2, 0105], Hertzog specifically teaches data structure particularly comprising

number of fields entities that is part of information table records, i.e., fig 6 is directed to

database structure creating various fields that including user_id, contact information

attributes maintained in a table and stored in a database as detailed in fig 1,fig 5-6, it is

further noted that the data structure element 90 having number of tables, and each table

having number of fields are linked and used in a relational database [page 7, col 2,

0085] ;

b)   a receiver for receiving one or more datasets, each dataset having a plurality of

contact information, said contact information comprising at least two from the group

consisting of: an Email address, a name, a postal address, and a telephone number

[page 8, col 1, 0091, 0094, col 2, 0096], Hertzog specifically teaches both local and

server database [see fig 1] defined data structure having number of datasets, fields

particularly related to contact information directed to user_id, contact_id, telephone

number, and other field identifiers as detailed in fig 6, element 100,104,page 8,

0091,0096];

c)   an identifier for identifying selected data from the dataset to be merged into said

database [fig 6, page 8, col 2, 0097-0098], Hertzog specifically teaches datasets,

information tables for example fig 6, element 104 linked together in a relational

database;

d)   a data merger module for merging selected data into said database

[page 7, col 1, 0082].

It is however, noted that Hertzog et al.does not specifically teach a

governmentally issued identifying number, a birth date. On the other hand, Smith

disclosed governmentally issued identifying number, a birth date [fig 2, element 125,

155, page 1, col 2, 0013-0015, page 2, col 2, line 1-8], Smith specifically teaches

identity verification system that including governmental issued user unique ID for

example driver's license, social secrity number and like, further Smith also suggests

database records including name, address, age ...unique identifier as detailed in fig 2,

element 125,155.

It would have been obvious to one of the ordinary skill in the art at the time of

applicant's invention to incorporate the teachings of Smith et al. into automate updating

of personal information and synchronize updated personal information management of

Hertzog et al. because both Hertzog, Smith are directed to databases, more specifically

both are specifically directed to secured databases connected in a network environment

[see Smith: fig 1, page 3, col 2, 0025; Hertzog: fig 1], further both Smith, Hertzog

specifically defines data structure linking various records [see Smith: fig 2, page 3, col 2, 0027; Hertzog: fig 6, page 7, 0085-0086] and both are from same field of endeavor.

one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Smith et al. into automate updating of personal information and synchronize updated personal information management of Hertzog et al. because that would have allowed users of Hertzog to modify data structure particularly Hertzog's fig 6 to incorporate the Smith's data structure that particularly stores governmental data [fig 2], also because that would have allowed Hertzog's database to establish "verification system" particularly not only secure identify verification for the authorization but also prevent identify theft or fraud as suggested by Smith [page 1, col 2, 0009-0010] bringing the advantages of secured identity verification electronic transactions, thus improving the reliability and quality of the system.

37.   As to claim 30, Hertzog disclosed wherein said changed data elements for merging into said database are Email addresses' [page 11, col 2, 0125].

Conclusion
The prior art made of record

a.   US Pub. No.   20030069874

b.   US Pub.No.   20020083008

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is 571-272-4108.   The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, T, can be reached on (571) 272-3978. The fax phone numbers for the organization where the application or proceeding is assigned is 571-273-8300 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free)

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Patent Examiner.
May 27, 2006   SRIRAMA CHANNAVAJJALA
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